

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

THOMAS K. HARMON as Successor
Personal Representative of the Estate
of David L. Burress, now Deceased,

Plaintiff,

V.

CIGNA HeathCare,

Defendant.

8:04CV15

ORDER OF DISMISSAL WITH PREJUDICE

This matter came on to be heard on the 23rd day of September, 2005, on the joint motion of all the parties to the above-entitled action that the action be dismissed with prejudice in accordance with the settlement agreement reached by the parties. **Therefore**, it is not necessary that the action remain on the court's calendar and the Court, being fully advised in the premises, finds that an Order should be entered in accordance with said Motion.

IT IS THEREFORE, ORDERED, that the Plaintiff's Complaint be dismissed with prejudice, each party to pay their own costs because the settlement has been completed and further litigation is not necessary .

BY THE COURT:

s/ Joseph F. Bataillon
JOSEPH F. BATAILLON
United States District Judge